

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**May 20, 2009**

**TO:** Honorable Joseph Pickett, Chair, House Committee on Transportation

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: SB129** by Ellis (Relating to the maximum speed limit for a neighborhood electric vehicle being operated on a street or highway.), **Committee Report 2nd House, Substituted**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would amend the Transportation Code to further define a "neighborhood electric vehicle" as a vehicle that can attain a maximum speed of 35 miles per hour on a paved level surface. The bill would restrict a neighborhood electric vehicle to streets or highways where the posted speed limit is 45 miles per hour and permit the vehicle to cross a road or street at an intersection where the road or street has a posted speed limit of 45 miles per hour. The bill also would prohibit a neighborhood electric vehicle from being operated at a speed that exceeds the lesser of the posted speed limit or 35 miles per hour. Current statute limits these vehicles to being operated on a street or highway that has a posted speed limit of no more than 35 miles per hour. The bill would clarify that the vehicle must be operated within the posted speed limit.

The bill would amend the Transportation Code to include a three-wheeled, enclosed, passenger vehicle in the definition of a motorcycle and amend the testing requirements and preferential lane rules accordingly.

The bill would take effect September 1, 2009.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JOB, KJG, DB